

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

In re

Case No.

Debtor(s)

Chapter

*(Include Adversary Caption [LBR 4001(a)-1(B)])*

**MOTION FOR RELIEF FROM STAY AND NOTICE OF MOTION AND HEARING**

Pursuant to LBR 4001(a)-1(D), the following material, when applicable, must be included in the motion for relief from stay:

- (1) A detailed statement of the debt owed to the movant;
- (2) If periodic payments are in arrears, the amount of arrears accrued prepetition and the amount of arrears accrued postpetition;
- (3) A description of the property encumbered;
- (4) A description of the security interest and its perfection;
- (5) A statement of the basis for the relief claimed, such as, a lack of adequate protection or the absence of equity and that the property is not necessary for an effective reorganization. The specific facts constituting cause shall be set forth if a motion is brought for cause;
- (6) If the movant asserts a valuation of the subject property, the motion shall state the amount of the valuation, the date, and the basis therefore (appraisal, bluebook, etc.); and
- (7) The specific nature of the relief from stay that is requested.

**\*\*Notice of Motion and Hearing\*\***

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the Court to grant the relief sought in this motion, or if you want the Court to consider your views on the motion, then within fifteen (15) days from the date of service of this motion, you must file a written response explaining your position with the Court at the following address: **Clerk of Court, United States Bankruptcy Court, 1100 East Main Street, Room 310, Richmond, VA 23219-3515**, and serve a copy on the movant's attorney at the address shown below. Unless a written response is filed and served within this fifteen day period, the Court may deem opposition waived, treat the motion as conceded, and issue an order granting the requested relief.

If you mail your response to the Court for filing, you must mail it early enough so that the Court will receive in on or before the expiration of the fifteen day period.

Attend the preliminary hearing scheduled to be held on: *Date and Time; in the Courtroom, Room \_\_\_\_\_, United States Bankruptcy Court, U.S. Courthouse Annex, 1100 East Main Street, Richmond, Virginia.*

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date:

Signature ( of attorney for plaintiff )  
Typed name ( of attorney giving notice )  
Address ( of attorney for plaintiff )  
VA State Bar No. ( of attorney for plaintiff )  
Counsel for ( name of plaintiff )

**Proof Service**

I hereby certify that I have this ( date of service ) ( *method of service employed* ) a copy of this Motion For Relief From Stay and Notice of Motion and Hearing upon each party required to receive notice under Local Bankruptcy Rule 4001(a)-1(F)(1) as follows ( *or attach a separate list, if needed* ):

( Signature of attorney for plaintiff )